



*See attached #6*  
*16/B*  
*Washington*  
*1-24-91*  
RECEIVED  
JAN 23 AM 9:41  
GROUP 180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rodney M. Richards )  
Theodore Jones )  
Serial No.: 220,108 )  
Filed: June 24, 1988 )  
For: Method and Reagents for )  
Amplifying and Detecting )  
Nucleic Acid Sequences )  
Group Art Unit: 182 )  
Examiner: Scheiner )

AMENDMENT

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

This amendment is in response to the office action mailed July 3, 1990 in the above-identified application wherein claims 1-21 were rejected under 35 USC §§103 and 112. Reconsideration and withdrawal of these rejections are requested for the reasons set forth below.

Amendment of the Claims

Please amend the claims of the above-referenced application as follows:

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: Jan 3, 1991

Charlotte Frumkin  
(Typed or print name of person mailing paper)  
Charlotte Frumkin  
(Signature of person mailing paper)



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Theodore Jones et al.

Serial No.: 0 7/220,108

Group No.: 182

Filed: June 24, 1988

Examiner: Scheiner, L.

For: Method and Reagents for Amplifying and Detecting Nucleic Acid Sequences

Commissioner of Patents and Trademarks

Washington, D.C. 20231

## AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is

- ☐ a small entity — verified statement:  
☐ attached.  
☐ already filed.  
☒ other than a small entity.

RECEIVED  
91 JAN 23 AM 9:41  
GROUP 180

## CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date:

Jan. 3, 1991

Charlotte Frumkin  
(Type or print name of person mailing paper)Charlotte Frumkin  
(Signature of person mailing paper)

P 30008 01/16/91 07220108

P 30009 01/16/91 07220108

01-0519 030 117 (Amendment Transmittal (9001) — page 1 of 4)

01-0519 030 103

360.00CH

## EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

**NOTE:** See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

(a) ☒ Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$62.00	\$31.00
<input type="checkbox"/> two months	\$180.00	\$90.00
<input checked="" type="checkbox"/> three months	\$430.00 730.00	\$215.00
<input type="checkbox"/> four months	\$680.00	\$340.00
		Fee \$ 730.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request      \$ \_\_\_\_\_

OR

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	* 39	MINUS	** 21	= 18	x6=	\$	x20	<del>x12=</del>	\$ 360.00
INDEP.	* 6	MINUS	*** 6	= 0	x18=	\$		<del>x36=</del>	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+60=	\$		+120=	\$
					TOTAL	\$	OR	TOTAL	\$ 360.00
					ADDIT. FEE	\$			

- \* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
  - \*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

(complete (c) or (d) as applicable)

- (c) ☐ No additional fee for claims is required.

OR

- (d) ☒ Total additional fee for claims required \$ 360.00

## FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ \_\_\_\_\_
- ☒ Charge Account No. 01-0519 the sum of  
\$ 1,090.00

A duplicate of this transmittal is attached.

## FEE DEFICIENCY

**NOTE:** If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

6. ☒ If any additional extension and/or fee is required, charge Account No. 01-0519

(Amendment Transmittal [9-19]—page 3 of 4)

AND/OR

☒ If any additional fee for claims is required, charge Account No.  
01-0519

Reg. No.: 31,222

Tel. No.: (805) 499-5725

Julia E. Abers

SIGNATURE OF ATTORNEY

Julia E. Abers

Type or print name of attorney

1840 Dehavilland Drive

P.O. Address

Thousand Oaks, California 91320-1789